



American Bar Association  
Standing Committee on Environmental Law  
740 Fifteenth Street, NW  
Washington, DC 20005-1022



# Navigating the New **Green** Economy:

## THE CHALLENGES OF CLIMATE CHANGE AND THE OPPORTUNITIES FOR CLEAN ENERGY

London School of Economics  
London, England  
May 23-24, 2011



*Cosponsored by the American Bar Association*

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# Navigating the New **Green** Economy: The Challenge of Climate Change and the Opportunities for Clean Energy

**London is the place to be this year.** And this unique international conference, offered by three premier organizations to coincide with President Obama's state visit to London, will provide a high-level forum to discuss the intersection of climate change policy and politics, and the incentives, economics, and finance for clean energy. The program will allow participants to interact with government and industry leaders, academic scholars, and finance and legal experts from the European Union, the United Kingdom and the United States.

Our Keynote speakers are **Lord Anthony Giddens**, member of the House of Lords and author of *The Politics of Climate Change*, and **Lisa Heinzerling**, former Assistant Administrator of the U.S. Environmental Protection Agency and a key architect of U.S. climate change policy. Also featured are speakers from:

- **U.S. Senate staff**
- **U.K. Department of Energy and Climate Change**
- **U.S. Environmental Protection Agency**
- **American Council for an Energy-Efficient Economy**
- **Center for International Environmental Law**
- **Institute of European Law**
- **International Centre for Trade and Sustainable Development**
- **International Emissions Trading Association**
- **Low Carbon Research Institute**
- **and some of the leading international law firms and universities.**

Learn the latest developments and go beyond how to navigate the complexities of policy and regulations to a sophisticated exploration of the enormous opportunities available in a global green economy.

Topics will include:

- **Financing a sustainable reduced-carbon future**
- **Regulations and incentives in emerging green technologies**
- **Energy efficiency**
- **Carbon marketplaces**
- **Renewable energy subsidies and trade**
- **Technology transfer**
- **REDD – Reduced Emissions from Deforestation and Degradation.**

**London is the place to see this year.** The conference will coincide with the high season in London, starting with the Chelsea Flower Show, one of the world's most beautiful floral displays (tickets are still available – act soon!) Individuals and families will enjoy the sights and sounds of one of this year's most energized cities, and one of Europe's leading financial centers for the new green economy. Lawyers, consultants, company and government representatives, academics and non-profits will want to attend this special interdisciplinary conference to make new connections and build future relationships.

Please plan to join us for this important event. Space is limited, and early registration is advisable.

# CONFERENCE PROGRAM

## MONDAY, MAY 23, 2011 - WOLFSON THEATRE, NEW ACADEMIC BUILDING

- 9:00 a.m. Registration and Coffee/Tea
- 9:30 a.m. **Welcome Remarks and Introduction to the Conference**  
**Edith Brown Weiss**, Chair, ABA Standing Committee on Environmental Law, Washington, DC, USA  
**Veerle Heyvaert**, Senior Lecturer in Law, Department of Law, London School of Economics and Political Science, London, UK
- 9:45 - 10:45 a.m. **Opening Keynote Address**  
**Speaker: Lord Anthony Giddens**, House of Lords, London, UK  
**Moderator, Commentary and Discussion: Stephen Hockman QC**, London, UK
- 10:45 - 11:00 a.m. Networking and Coffee Break
- 11:00 a.m. - 12:30 p.m. **Plenary Session 1**  
**STICKS AND CARROTS IN EMERGING GREEN TECHNOLOGIES – REGULATIONS AND INCENTIVES COMPARED**  
This panel explores the tension between risk-oriented/precautionary approaches in the face of some scientific and technological uncertainty and the need to quickly implement new responses to avert environmental, economic, and climate-related risks. Panellists will examine current E.U. and U.S. approaches, including impacts on investment opportunities, the roles of finance, tax and trade-related law practices, and the difficulty in implementing a tech-neutral approach.  
**Speakers:**
  - **Derek Dorn**, Senior Finance Counsel to Chairman Jeff Bingaman, U.S. Senate Committee on Energy & Natural Resources, Washington, DC, USA (*invited*)
  - **Roberta Mann**, Dean's Distinguished Faculty Fellow, Professor of Law, University of Oregon School of Law, Eugene, Oregon, USA
  - **Simeon Thornton**, Chief Economist, Department of Energy and Climate Change, London, UK
- 12:30 - 1:15 p.m. Conference Lunch
- 1:15 - 2:00 p.m. **Luncheon Keynote Address**  
**Lisa Heinzerling**, Professor of Law, Georgetown University Law Center; former Assistant Administrator, Office of Policy, Economics and Innovation, U.S. Environmental Protection Agency, Washington, DC, USA
- 2:15 - 3:45 p.m. **Plenary Session 2**  
**FINANCING A SUSTAINABLE REDUCED-CARBON FUTURE**  
Rapid transformation of energy infrastructure and the development of low-carbon energy technologies will be necessary in order to meet climate change goals. Panel members will address the challenges faced in financing; will explore new techniques being developed in response to those challenges; and will examine legal obstacles to climate-conscious finance, including fiduciary law, corporate governance, and securities regulation.  
**Moderator: Peter Koster**, Principal Consultant for Finance and Sustainability, Centre for Finance & Sustainability, Holland Financial Centre, Amsterdam, The Netherlands  
**Speakers:**
  - **Kenneth Berlin**, General Counsel, Coalition for Capital, Washington, DC, USA
  - **Benjamin Richardson**, Senior Canada Research Chair, University of British Columbia, Vancouver, British Columbia, Canada
  - **Paul Watchman**, United Nations Environment Programme Financial Initiative Global Special Adviser on Fiduciary Duties and the Law; Visiting Fellow, Sustainable Finance Project, London School of Economics, London, UK
- 3:45 - 4:00 p.m. Networking and Tea Break

4:00 - 5:30 p.m.

**Plenary Session 3**  
**ENERGY EFFICIENCY – THE “LOW HANGING FRUIT” IN THE CARBON REDUCTION DEBATE**

Energy efficiency is a cost-effective tool for achieving a sustainable energy future. Improvements here are the rare example of an “environmental” issue with support by governmental entities and construction, manufacturing, and energy industries. But is it possible to implement efficiency initiatives that achieve and maintain public support and provide energy policy direction while cost-effectively reducing environmental and carbon impacts of energy use and production? Experts will discuss the impacts of the law of energy efficiency on the environment, the economy and communities.

**Moderator:** David Scriven-Young, Peckar & Abramson, P.C., Chicago, Illinois, USA

**Speakers:**

- **Peter Pearson**, Professor and Director, Low Carbon Research Institute, Cardiff University, Cardiff, UK
- **Suzanne Watson**, Director of Policy, American Council for an Energy-Efficient Economy, Washington, DC, USA

5:30 p.m.

**Conference Reception**

**TUESDAY, MAY 24, 2011 - SEMINAR ROOMS, CONNAUGHT BUILDING**

9:00 a.m.

Registration and Tea/Coffee, Room H103

9:30 - 11:00 a.m.

**Concurrent Panel Session A: Room H102**  
**REDD – Reduced Emissions from Deforestation and Degradation**

Forests are a large source of, and sink for, carbon dioxide emissions. Efforts to protect them must address baseline reference points for reducing deforestation, offsets, leakage, sub-national accounting of emissions reduction, environmental and social safeguards, monitoring, and verification. Panellists will address the unresolved issues in development and implementation of national plans for countries seeking compensation for forest protection, and will discuss the future for constructing a carbon credit market, including implications for local interests.

**Moderator:** Edith Brown Weiss, Francis Cabell Brown Professor of International Law, Georgetown University Law Center, Washington, DC, USA

**Speakers:**

- **William Boyd**, Associate Professor of Law, University of Colorado at Boulder Law School, Boulder, Colorado, USA
- **Kevin Brennan**, CFA, Managing Director, Portfolio Manager, Terra Global Capital LLC, San Francisco, California, USA
- **Davyth Stewart**, Legal Counsel, Climate Change and Forests, Global Witness, London, UK

**Concurrent Panel Session B: Room H216**  
**RENEWABLE ENERGY SUBSIDIES, TRADE AND THE WTO DISCIPLINES**

Government support for fossil fuel exploration and development has a long history, but is less developed for renewable energy sources and technologies. Panelists will explore the relationship of renewable energy and trade in the climate and sustainable development context; the legal issues that firms may face in pursuing energy projects; and the larger issue of whether the WTO can deal effectively with renewable energy-related trade issues.

**Moderator:** Andrew Lang, Senior Lecturer in Law, Department of Law, London School of Economics and Political Science, London, UK

**Speakers:**

- **Marcus Herrmann**, Partner, Latham & Watkins LLP, Frankfurt, Germany
- **Olga Nartova**, Research Fellow, World Trade Institute, University of Bern; Co-leader, Work Package 5 — Trade and Climate Change, Swiss National Centre for Competence in Research, Bern, Switzerland
- **Luca Rubini**, Lecturer in Law, Deputy Director, Institute of European Law, Birmingham Law School, Edgbaston, Birmingham, UK

11:00 - 11:15 a.m..

Networking and Tea Break, Room H104

11:15 a.m. - 12:45 p.m.

### Concurrent Panel Session C: Room H102

#### TECHNOLOGY TRANSFER

A critical part of the UN framework for addressing climate change is to foster the movement of "environmentally sound technologies" from wealthy to poorer countries. Effective transfer of technology will be vital to a working climate deal and to substantive progress in addressing climate change. However, partly due to concerns about the protection of intellectual property, there has been little progress on technology transfer to date. Panellists will probe the obstacles and identify priorities and mechanisms for geographical and sectoral technology transfer.

**Moderator:** **Stephen Humphreys**, Lecturer, Department of Law, London School of Economics and Political Science, London, UK

#### Speakers:

- **Ahmed Abdel Latif**, Senior Programme Manager — Innovation, Technology & Intellectual Property, International Centre for Trade and Sustainable Development, Geneva, Switzerland
- **Marcos A. Orellana**, Director, Human Rights and Environment Program, Center for International Environmental Law, Washington, DC, USA
- **Dalindyebo Bafana Shabalala**, University Lecturer/Assistant Professor, International Economic Law, Maastricht University, Maastricht, The Netherlands

### Concurrent Panel Session D, Room H216

#### THE NEW CARBON MARKETPLACES: PARTICIPANTS, PRICES AND PROFITS

This panel explores the new marketplaces for trading in greenhouse gas allowances, offsets, banking and credits. Panelists will focus on the proposed California cap-and-trade programs, Phase III of the EU Emissions Trading System (ETS), and other new developments in compliance markets and regulatory programs. The panel also will explore the role of the private sector, the future of international emissions trading, and the state of voluntary markets for carbon and related values around the world.

**Moderator:** **James W. Rubin**, Counsel, SNR Denton US LLP, Washington, DC, USA

#### Speakers:

- **Henry Derwent CB**, President and CEO, International Emissions Trading Association (IETA), Geneva, Switzerland
- **Jeffrey C. Fort**, SNR Denton US LLP, Washington, DC, USA
- **Anju Sanehi**, Counsel, Hunton & Williams, London, UK

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**CONFERENCE SITE**

This conference takes place at the London School of Economics and Political Science, Houghton Street, London WC2AE, UK, Tel. +44 (0) 20 7405 7686.

Persons with special needs should contact Jinny Choi at [jinny.choi@americanbar.org](mailto:jinny.choi@americanbar.org) or 202/662-1694 in the U.S.

## Navigating the New Green Economy

### CONFERENCE REGISTRATION FORM

#### Conference Fees\*

##### North America

- ABA Member \$595
- General Attendance \$795
- Academic/NGO/Government \$395
- Students \$195

##### UK/EU

- UKELA Member £440
- General Attendance £595
- Academic/NGO/Government £295
- Students £150

**Group Function Attendance** (Please check all that apply)  Conference Lunch  Conference Reception

Please reserve space for (print clearly or type):

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**\*Registrations received by May 6 will qualify for a 10% discount.**

**Your conference fee covers admission to all sessions, course materials, breaks, lunch and reception.**

This program has been submitted for Continuing Legal Education (CLE) accreditation in the United States, and CPD Points 8.5 hours TBC. Accredited by the Bar Standards Board of England and Wales and the Law Society of England and Wales. Forms and course materials will be available on-site.

**Questions?** Contact us at [scel@americanbar.org](mailto:scel@americanbar.org) or call us at 202/662-1694.

**To register online, visit:**

[http://www.americanbar.org/groups/public\\_services/environmental\\_law/2011\\_london\\_spring\\_conference.html](http://www.americanbar.org/groups/public_services/environmental_law/2011_london_spring_conference.html)

#### PAYMENT OPTIONS

- If paying by check, please return completed form along with check made payable to "ABA" to: American Bar Association, Standing Committee on Environmental Law, 740 15th Street, NW, Washington, DC 20005, USA.
- If paying by credit card or government Purchase Order (PO), you may fax the completed registration form along with full credit card information or a completed PO to: ABA Standing Committee on Environmental Law, 202/638-3844 in Washington, DC, USA.

**NOTE:** Please email us at [scel@americanbar.org](mailto:scel@americanbar.org) to confirm our receipt of your registration.

#### CANCELLATION POLICY

We will give full refunds of registration fees, less a non-refundable administrative charge of \$50, for cancellations received by Friday, May 6, 2011. Cancellations received after that date will not be refunded, but substitute registrants may be designated in writing with advance notification to our office. We are not responsible for sleeping room, meal, travel or other charges or fees arising from cancellations or changes, and will bill registrant for any costs we incur in such instances.